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COMMITTEE ON THE ELIMINATION
OF DISCRIMINATION AGAINST
WOMEN (CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Initial reports of States parties

LIECHTENSTEIN*

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PREFACE

The present report, approved by the Government at its meeting on 18 February 1997, is submitted by the Government of the Principality of Liechtenstein in conformity with article 18 of the Convention on the Elimination of All Forms of Discrimination against Women. It presents the legal, administrative and other measures taken pursuant to the Convention. This is Liechtenstein's first national report, covering the period up to 31 December 1996.

In accordance with the general guidelines prepared by the Committee on the Elimination of Discrimination against Women, the first part contains general information on Liechtenstein, respect for human rights in Liechtenstein and, in particular, the situation of women. The second part contains information on the individual articles of the Convention.

PART I.

I. Liechtenstein — Country and people

1. Geographically, the Principality of Liechtenstein is enclosed between Switzerland and Austria. Its surface area is 160 km^2. Liechtenstein is divided into 11 communes. The highest point in Liechtenstein is at 2,599 metres above sea level (the Grauspitze), and the lowest point at 430 metres above sea level (the Ruggeller Riet). A quarter of the land area is in the Rhine valley, while the other three quarters are on the slopes of the Rhine valley and in the inner Alpine area. The capital of Liechtenstein is Vaduz.

Historical overview

2. Archaeological finds bear witness to the fact that the territory of the present-day Principality of Liechtenstein has been permanently settled since the fourth millennium B.C. Among these archaeological finds, particular mention may be made of the bronze religious figurines of Gutenberg.

3. In the year 15 B.C., Rhaetia became a Roman province. During the Roman period, the Rhaetia culture became Christianized and Romanized. In the fifth century, Alemanni invaded the collapsing Roman empire and mixed with the existing population.

4. Germanization of the culture continued up until the 12th century. Under Charlemagne, as a result of the centralization of imperial power, the former province of Rhaetia became a county.

5. The County of Vaduz came into being in 1342 as a result of inheritances. The Counts of Werdenberg-Sargans zu Vaduz were granted Imperial Immediacy in 1396, thus laying the foundations for the sovereignty that has been maintained until the present day. The next rulers, the Barons of von Brandis, inherited the northern part of present-day Liechtenstein, the Lordship of Schellenberg, thus establishing the borders of the modern Principality. In 1510, the last Brandis sold Vaduz and Schellenberg to the Counts of Sulz. During this period, the two territories succeeded in establishing their rights, under a dualistic Landamman (chief magistrate) constitution. During the Reformation, the country remained Catholic. In 1613, the indebted Sulz family was obliged to sell Vaduz and Schellenberg to the Counts of Hohenems. This marked the beginning of the most strife-torn century, marked by the Thirty Years' War and by witch trials.

6. In 1699, Prince Hans Adam von Liechtenstein purchased the Lordship of Schellenberg and in 1712 the County of Vaduz. In 1719 the Emperor Charles VI united the two territories and raised them to the rank of the Imperial Principality of Liechtenstein.

7. During the Napoleonic wars, Liechtenstein too became a theatre of war, in 1799. In 1806 Napoleon dissolved the All German Empire and founded the Confederacy of the Rhein, in which Liechtenstein was incorporated as a sovereign State. In 1808, the last

vestiges of the Landammann Constitution were done away with. In 1814/15, as a result of the Congress of Vienna, Liechtenstein was incorporated into the newly created German Confederation.

8. Initially, the resistance of the people to absolutism was without success. Not until 1862 was a constitutional monarchy instituted, by means of the Constitution proclaimed by Prince Johann II. It guaranteed civil liberties and gave the Landtag (Parliament) the right to participate in legislation and in approval of the budget.

9. This period also saw the beginning of the industrialization of Liechtenstein, a process which was also advanced by the 1852 Customs Treaty with Austria-Hungary. The country's infrastructure was improved, and tourism began to develop around the turn of the century. The country was however still very poor, and many people emigrated or sought work abroad.

10. The First World War resulted in a pronounced setback to economic development. Against this background, two political parties were established for the first time, in 1918. In 1921, a new Constitution came into force which gave strong impetus to civil rights, *inter alia* through elements of direct democracy. Finally, in 1923, a Customs Treaty was concluded with Switzerland.

11. The 1920s and 1930s were still marked by numerous domestic political crises. Since the 1940s, however, Liechtenstein has enjoyed flourishing economic development, accompanied by a continual improvement of social and cultural institutions.

12. In recent decades, Liechtenstein has also played a more prominent role in the foreign policy sphere, and has become a member of important international organizations.

Population

13. At the end of 1995, Liechtenstein had a population of 30,923. Of this number, 39.1 per cent were foreigners.

Life expectancy

14. Average life expectancy has been continually rising for the past 30 years. In 1990, life expectancy was 74 years for women and 69 years for men.

Infant mortality

15. Infant mortality (death within one year after birth) has been continually decreasing in Liechtenstein since the 1950s. Between 1990 and 1994 it averaged 1.2 cases, or 3.0 per 1,000 children.

Fecundity

16. On average, 388 children were born each year between 1990 and 1994.

Age structure

17. At the end of 1995, 19.0 per cent of the population were under 15 years of age, while 10.3 per cent of the population were older than 65 (women 12.2 per cent, men 8.3 per cent).

Religion

18. At the end of 1995 96.4 of the population with Liechtenstein nationality were Roman Catholic. Of the foreign residents, 54.5 per cent were Roman Catholic and 15.8 per cent Protestant, while 14.2 per cent belonged to another faith (no information available for 15.5 per cent).

Education

19. Compulsory school attendance is for nine years, from the age of 7 to 16. It consists of five years of primary school and four years of secondary school (*Gymnasium*[*] upper secondary school — eight years). A broad range of further professional educational opportunities is available (teaching, professional schools, evening school). Liechtenstein has no university of its own. Access to university education in neighbouring States is however guaranteed by treaty. Increasingly greater importance is being attached to ongoing vocational and personal further education, with the result that a broad range of further educational opportunities in the commercial, technical and personal development spheres is available.

II. The economy

Structure of the economy

20. Liechtenstein is a modern industrial and services State with worldwide contacts. Its economic success in recent decades has been based on favourable overall conditions resulting from liberal economic legislation and tax advantages for resident companies. These are made possible not least as a result of an efficient financial services system.

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[*] *Note:* Secondary schools in Liechtenstein are classified as follows:

Oberschule: Four years, with an optional fifth. The focus is more practical than academic. Attended by 25-30 per cent of pupils.

Realschule: Four years, with an optional fifth. More academic in focus than the *Oberschule*. Attended by 50-55 per cent of pupils.

Gymnasium: Eight years. Academically oriented, leading to university entrance qualifications. Attended by 17-20 per cent of pupils. Transfers are possible from *Oberschule* to *Realschule*.

Structure of employment

21. Liechtenstein's small size and the prevailing economic upturn have resulted in a situation where a large proportion of the labour force commutes across the national frontier. At the end of 1995, 15,431 people resident in Liechtenstein were economically active. Of these, 14,406 were employed in Liechtenstein and 1,025 abroad. In addition to the 14,406 employed in Liechtenstein, there were a further 7,781 employees commuting from neighbouring foreign countries.

22. Agriculture is no longer of major significance in the national economy. It does however still perform important functions with respect to food self-sufficiency in times of crisis and care and maintenance of the natural and cultural landscape. At the end of 1995, 1.6 per cent of the work force was still employed in the primary sector. Like other economies, that of Liechtenstein is experiencing a continual expansion of the services sector. In 1995 51.6 per cent of persons in full-time employment were active in the tertiary sector. At the end of 1995, the secondary sector (industry, crafts, construction) employed 46.8 per cent.

23. The picture is somewhat different if only the resident population (excluding frontier commuters from abroad) is taken as the basis. Of the economically active resident population, 2.1 per cent are employed in agriculture and forestry, 39.8 per cent in industry, crafts and construction and 58.1 per cent in the services sector.

24. At the end of 1995, the proportion of the domestic population that was economically active was 49.8 per cent.

Unemployment

25. In international terms, unemployment is low. It rarely exceeds the 2 per cent mark, and at the end of 1996 was at 1.4 per cent.

Gross domestic product

26. Liechtenstein's gross domestic product can be estimated only approximately. The last evaluation, for 1988, was 1.7 billion Swiss francs, yielding a per capita figure of around 56,000 Swiss francs. This figure is however of limited indicative value, in that in 1988, for example, more than 30 per cent of the labour force was not resident in Liechtenstein.

III. Constitution and Government

Form of Government

27. The Principality of Liechtenstein is a constitutional hereditary monarchy with democratic and parliamentary foundations. The power of the State is vested in the Prince and the people.

The Constitution

28. The Constitution in force today dates back to the year 1921, and was the outcome of a process of renewal in the aftermath of the First World War. As compared with the previous Constitution, dating from 1862, it was able to effect a considerable expansion of the rights of the people as against the Prince. In recent years, however, it has become apparent that differences of view exist regarding the interpretation of individual provisions of the Constitution, with the result that a revision of the Constitution will be necessary.

Fundamental rights and freedoms

29. The Constitution of the Principality of Liechtenstein guarantees a series of fundamental rights. Specifically, these comprise equality before the law, the right to freedom of domicile and inheritance, personal freedom, domestic authority, protection of the secrecy of correspondence and written communication, the right of due process before a duly appointed judge, inviolability of private property, freedom of trade, freedom of belief and conscience, the right to free expression and press freedom, the right to free association and assembly, the right to petition and the right of appeal.

Distribution of the functions of power

30. In the dual system of government of the Principality of Liechtenstein, State power is vested in the Prince and the people. The division of powers is further guaranteed in that the executive (the Government), the legislature (the Landtag) and the judiciary (the courts system) each possess their own rights. Since, however, the Government is appointed by the Prince on the proposal of the Landtag, the majority in the Landtag is also the majority in the Government.

The Prince

31. The Prince, currently Prince Hans Adam II von und zu Liechtenstein, occupies a strong position in the State structure of Liechtenstein. The Prince is the Head of State, and represents the country abroad. He appoints the members of the Government on the proposal of the Landtag, and, with the exception of the members of the Jury Court and the Criminal Court, also the judges of the civil and penal courts, as well as the President of the Administrative Court. He has the right to issue pardons and to annul criminal proceedings. The right to assume emergency powers and the right to dissolve the Landtag for valid reasons additionally strengthen the position of the Prince. Moreover, every law requires the approval of the Prince in order to go into effect. Nevertheless, the Prince is also bound in the exercise of his powers by the provisions of the Constitution.

The Landtag

32. Liechtenstein's Parliament, the Landtag, is elected every four years. The Landtag consists of 25 deputies, 15 of them from the Oberland electoral district and 10 from the Unterland electoral district. They are elected by universal, equal suffrage through direct and secret ballot, in accordance with the proportional representation system. Only parties that exceed a cutoff level of 8 per cent nationwide are admitted to the Landtag. The deputies discharge their duties in addition to their professional activities. The most important tasks of the Landtag are participating in legislation, accepting State treaties, authorizing the State budget, making proposals for the appointment of the Government and various judges and controlling the national administration. The quorum for decision-making by the Landtag is at least two thirds of the deputies.

33. During the current term (1993-1997), three parties are represented in the Landtag. The Fatherland Union (VU), with 13 votes, holds an absolute majority. The Progressive Citizen's Party of Liechtenstein (FBPL) has 11 votes, while the Free List (FL) is represented by 1 vote.

The Government

34. The Government comprises five members: the Head of Government, the Deputy Head of Government and three further members. The members of the Government are appointed by the Prince on the proposal of the Landtag. The Head of Government has the right to countersign all decrees and orders issued by the Prince, as well as legislation endorsed by the Prince. The Head of Government represents the Government abroad. Since 1921 (except during the years 1928 to 1932), the two leading political parties have participated jointly in the Government, with the stronger faction in the Landtag accounting for the majority of the members of the Government and occupying the post of Head of Government. The Government is the supreme executive authority, and has under it 30 departments, a number of diplomatic missions abroad, and offices. The work of the administration is supported by some 50 commissions and advisory councils.

35. The Government has the authority to issue orders, and hence is also a legislative body. Orders may however only be promulgated in the context of laws and State treaties.

36. The Government supervises four foundations under public law (the National Library, the National Museum, the Music School and the State Art Collection) and three institutions under public law (the Old-age and Survivors' Insurance Fund, the Liechtenstein Power and Light Company and the Liechtenstein Gas Supply Company).

37. In specific cases, the Government also exercises appellate jurisdiction remedy. Decisions of an administrative authority or community can be appealed to the Government.

Jurisdiction

38. Jurisdiction is divided into public law (extraordinary) jurisdiction and ordinary jurisdiction.

39. Public law jurisdiction is exercised by the Board of Administrative Appeal and the State Court. The President of the Board of Administrative Appeal and his representative are appointed by the Prince on the proposal of the Landtag. Judges of appeal are appointed by the Landtag. Their four-year term of office terminates simultaneously with the term of office of the Landtag. The Board of Administrative Appeal is appeals against decisions and orders of the Government or representative commissions. There can be no regular further appeal against decisions of the Board of Administrative Appeal.

40. The members of the State Court are elected by the Landtag for a term of five years. They serve in addition to their other activities. The President and his Deputy require the confirmation of the Prince. The functions of the State Court include the rights guaranteed by the Constitution and established in the European Convention on Human Rights, decisions in conflicts of competence between courts and administrative authorities and serving as a disciplinary court for members of the Government, verifying the constitutionality of laws and the legality of government ordinances.

41. The regular jurisdiction comprises the administration of justice in civil and penal cases. The principles of oral examination, personal presence and free submission of evidence apply, and in criminal cases also the accusatory principle. The court of first instance is the Princely National Court in Vaduz. In disputed civil proceedings, before a suit can be brought in the national court, a reconciliation procedure must be conducted at the place of residence of the defendant. Only if this fails can application be made to the national court as the court of first instance. The court of second instance is the Princely High Court and the court of third instance the Princely Supreme Court. Both of these are collegial courts.

IV. Legal process in the case of human rights violations

Jurisdiction

42. When anyone feels that his fundamental rights and freedoms have been violated, he is entitled to apply to the courts or to file a complaint. Entitlements include annulment of an administrative or government decision, payment of damages or compensation for material or immaterial damage. The State Court also has the task of verifying the constitutionality of the law in force and where necessary declaring laws or regulations or parts of them invalid. In specific cases, an appeal may also be addressed to the European Court of Human Rights in Strasbourg.

The Ombudsman

43. The post of an Ombudsman was established in Liechtenstein in 1976. The Ombudsman is appointed by the Government. His function is to provide personal advice in matters relating to the national administration and to hear complaints and suggestions regarding the actions of the authorities.

International legal recourse

44. Since 8 September 1982, Liechtenstein has been a State Party to the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950. Compliance with the requirements of the European Convention on Human Rights in Liechtenstein is monitored by the State Court. Citizens who feel their rights have been violated can have recourse first to the European Commission for Human Rights and then to the European Court for Human Rights. A prerequisite for doing so is that proceedings before the State Court of Liechtenstein should have been concluded.

V. International human rights conventions and Liechtenstein law

Liechtenstein's participation in international human rights conventions

45. Liechtenstein has ratified a number of United Nations and Council for Europe Conventions relating to the protection of human rights:

- The Charter of the United Nations, of 26 June 1945;

- The Statute of the Council of Europe, of 5 May 1949;

- The European Convention for the Protection of Human Rights and Fundamental Freedoms, of 4 November 1950, including various protocols;

- The Convention on the Elimination of All Forms of Discrimination against Women, of 18 December 1979;

- The European Convention of 26 November 1987 on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;

- The Convention on the Rights of the Child of 20 November 1989;

- The Agreement of 2 May 1992 on the European Economic Area, with Annexes and Protocols.

Implementation of the human rights conventions

46. Liechtenstein abides by the principle that treaty obligations should be entered into only when they can be complied with. According to the prevailing doctrine, international treaties have at least the status of law.

Information on human rights conventions

47. The public in Liechtenstein is informed of international human rights instruments by the Government at the time of parliamentary approval and entry into force, and thereafter as required. Given the fact, however, that the European Convention on Human Rights is repeatedly referred to in speeches and written opinions, it may be assumed that there is a high level of awareness of this instrument. Where other international agreements are concerned, this is less likely to be the case.

48. The basic point to be made is that all laws and regulations, and thus also international agreements, have to be discussed in the Landtag and publicized, and hence are accessible to the public. Entry into force is announced in official publications. The texts of agreements may be obtained from the Chancellery.

VI. The situation of women in Liechtenstein

Introduction

49. The Constitutional Law of 16 June 1992 may be regarded as instrumental in giving effect to the equality of men and women in Liechtenstein. It unequivocally spells out the legal equality of men and women. The motion in the Landtag in June 1992 required the Government to eliminate by the end of 1996 the instances of discrimination that were still to be found in legislative texts. This process may now be regarded as having been completed.

50. While the *de jure* prerequisites for equality between men and women exist, that does not however mean that de facto equality has been achieved or will automatically be forthcoming. Measures will have to be taken in future to support and speed up the process of de facto equality of the sexes.

Education and further education

51. When compulsory education was introduced in 1806, it was not obligatory for girls to attend school. Not until 1865 was compulsory education for girls was introduced. In the further development of education, as well, preference was given to boys. Thus the first post-primary school in Liechtenstein was a "National School for Boys", founded in 1858. Not until 1870 were girls admitted. In 1937 the first senior secondary school (*Gymnasium*) in Liechtenstein was opened. This, too, was for a long time — until 1968

— for boys only. The current educational legislation no longer contains any provisions that make a distinction between girls and boys. Nevertheless, in practice major differences still persist in the educational trajectory of men and women.

52. Twenty years ago, girls were still significantly overrepresented in the *Realschule* as compared with boys, whereas in the *Gymnasium* they were underrepresented. Since then, the equality of opportunities for girls as compared with boys has improved.

Table 1 Proportion of girls at various educational levels

Year	Primary school	*Oberschule*	*Realschule*	*Gymnasium*
1975	50%	46%	58%	33%
1985	50%	44%	57%	42%
1995	50%	41%	54%	47%

Source: Department of the Economy, Statistical Yearbook, 1995.

53. Girls have been admitted to Liechtenstein's *Gymnasium* only since 1968. Girls who wanted to attend *Gymnasium* before 1968 had to go to schools in neighbouring countries or to boarding schools. Since the admission of girls to the *Gymnasium*, their proportion has continually increased. In 1995 almost half (47 per cent) of all pupils at the Liechtenstein *Gymnasium* were girls.

Table 2 Proportion of girls in the Liechtenstein Gymnasium

Year	Total	Girls	% Girls
1960	204	0	0%
1970	336	43	13%
1980	371	149	40%
1990	487	220	45%
1995	567	265	47%

Source: Department of the Economy, Statistical Yearbook, 1995.

54. Within the various types of schools, girls receive practically the same basic education as boys. Thereafter, however, significant differences emerge in their further educational trajectory. Among apprentices, only about a third are girls, as against two thirds boys. Up until the 1970s, the disproportion was still much more pronounced. Nevertheless, it must be noted that the situation whereby the proportion has remained the same since the 1980s needs to be remedied.

Table 3 Proportion of girls among apprentices

Year	Total	Girls	% Girls
1970	459	68	14.8%
1980	794	280	35.3%

1987	958	373	38.9%
1994	845	301	35.6%

Source: Department of the Economy, Statistical Yearbook, 1995.

55. Even though girls have narrowed the gap between them and boys in terms of vocational education, it must be recognized that, in terms of choice of professions, they are confined to a few typically women's professions. These consist primarily of commercial studies and training as hairdressers or sales personnel. Boys have a choice among almost twice as many professions as girls.

56. Liechtenstein has no university of its own. Hence most students attend universities and colleges in Switzerland, Austria or Germany. Agreements exist with these countries to ensure that places are available for female and male students from Liechtenstein. Although the proportion of women among all students from Liechtenstein has risen in recent years and recent decades, male students still account for around two thirds of the total. This is somewhat surprising, in that the proportion of girls in the Liechtenstein *Gymnasium* has meanwhile risen to almost 50 per cent. Clearly, girls who have completed *Gymnasium* choose less frequently than their male counterparts to go on to a university education.

Table 4 Proportion of male and female students from Liechtenstein at universities in Switzerland, Austria and Germany

Year	Total	% Male	% Female
1980	234	76.9%	23.1%
1985	304	70.7%	29.3%
1990	404	70.0%	30.0%
1992	423	67.4%	32.6%

Source: Department of the Economy, Statistical Yearbook, 1995.

57. It is apparent that women have a tendency to favour humanities courses, while men are more inclined towards economics and law courses, which appear to offer better prospects for professional advancement. Men also dominate in the technical subjects, including computer science.

58. Liechtenstein has one specialized college, the Liechtenstein School of Engineering. Given that this is a technical college, it is not surprising that its student body consists almost exclusively of men. A similar situation is apparent in the technical college in the

neighbouring town of Buchs in Switzerland, and in the colleges of economics and administration in Chur and St. Gallen.

59. Clearly, women stop pursuing education very early. Even after *Oberschule* or *Realschule*, fewer girls than boys continue their education. On graduating from *Gymnasium*, fewer girls than boys aspire to a university education. Corresponding differences are apparent in relation to the highest level of education, even though there has been a tendency towards a narrowing of the gap in recent decades.

60. In the case of men, there is only an insignificant difference in the level of education between the 25-44 and 45-64 age groups. In the case of women, however, the educational level among younger women is significantly higher than among older women. While 59.2 per cent of women aged between 45-64 have only attended compulsory schooling, the comparable figure for women between the ages of 25-44 is only 37.8 per cent. Nevertheless, it is conspicuous that the highest level of education among men continues to be significantly higher than among women. Only 19.9 per cent of men did not go beyond compulsory education, and 26.5 per cent of men aged 25-44, as against 12.7 per cent of women in the corresponding age group, have gone on to further education (*Gymnasium*, higher professional training, higher specialized training, university). Among the older age groups, this disproportion is still more pronounced.

Table 5 Highest level of education of men/women in the 45-64 age group (1990)

Sex	Compulsory only	Professional training	Higher education	Other	Total
Women	59.2%	31.3%	7.5%	2.0%	100.0%
Men	22.0%	51.0%	26.0%	1.0%	100.0%

Source: Department of the Economy, Statistical Yearbook, 1995.

Table 6 Highest educational level of men/women in the 25-44 age group (1990)

Sex	Compulsory only	Professional training	Higher education	Other	Total
Women	37.8%	47.9%	12.7%	1.6%	100.0%
Men	19.9%	52.5%	26.5%	1.0%	100.0%

Source: Department of the Economy, Statistical Yearbook, 1995.

Women and the labour market

61. Although women account for well over half of the population of working age, they represent only 38 per cent of the economically active population (1990). Admittedly, the proportion has increased somewhat since 1970. Nevertheless, it remains clear that women are still more involved with the home and family than men, who account for 62 per cent of the economically active population.

Table 7 Proportion of women in the working-age and economically active population

	1970	**1980**	**1990**
Proportion of women among all people of working age	34%	36%	38%
Proportion of women among the economically active population	55%	56%	58%

Source: Department of the Economy, Statistical Yearbook, 1995.

62. It is also apparent that the proportion of economically active women decreases continually from the age of entry into the job market until the age of retirement, while in the case of men it first increases and then remains at a very high level.

Table 8 Proportion of economically active women and men by age (1990)

Age	**Women**	**Men**
20-24	77%	78%
25-29	67%	91%
30-34	55%	97%
35-49	56%	99%
50-59	45%	97%
60-64	22%	85%

Source: Department of the Economy, 1990 census (provisional figures).

63. In professional life, it is in most cases men who occupy the higher positions. The proportion of men and women varies by sector. In 1987 the Department of the Economy conducted a survey of the position of women in employment which yielded the following figures. Comparable results would no doubt be obtained today.

64. In all, 23 per cent of men, as against only 4 per cent of women, were in senior professional positions. In skilled positions, the proportions of men (45 per cent) and women (41 per cent) were roughly equal. In contrast, the proportion of women in semiskilled and unskilled positions, at 33 per cent, was significantly higher than the 22 per cent figure for men.

65. There are no doubt a number of causes for this inequality. In the first place, women attach less importance to education. In the second place, concentration on the family and the home and the break in employment often associated with it impede access to higher-level positions. In addition, women are also likely to face greater obstacles to career development arising out of prejudices and discrimination than men with the same level of education. Not least, many women also probably feel reluctant, because of their social conditioning, to assert themselves in pursuit of their own advancement.

Table 9 Proportion of men and women in various occupations

Occupations	**Men (%)**	**Women (%)**
Senior positions (total)	23	4
Law/Fiduciary services	40	5
Banks	27	2
Machinery/equipment	27	5
Trade	26	6
Hotel industry	10	7
Health	8	not available
Insurance	not available	10
Skilled employees	45	41
Health	56	50
Law/Fiduciary services	37	59
Machinery/equipment	45	33
Insurance	44	43
Banks	48	45
Semiskilled/unskilled employees	22	33
Textiles	71	88
Cleaning/building maintenance	84	85
Other services	73	8

Source: Department of the Economy, survey, 1987.

66. A significant difference is apparent between men and women in terms of the sectors in which they are employed. Roughly speaking, women are more frequently employed in service sectors, while they are underrepresented in industrial and agricultural activities. A particularly high proportion of women work in trade and banks (10.4 and 10.5 per cent, respectively). Women are more active than men in nursing and education.

Table 10 Proportion of economically active men and women (resident population) in "typically female" sectors (1994)

Sector	Proportion of men	Proportion of women
Total, sector 1	3.0%	0.8%
Total, sector 2	48.2%	26.5%
Textile manufacture	0.4%	1.1%
Plastics	2.4%	3.9%
Clocks, jewellery	0.9%	2.6%
Total, sector 3	48.8%	72.7%
Trade	6.2%	10.4%
Hotel industry	3.1%	7.2%
Banking and finance	5.6%	8.2%
Law/economics	6.0%	10.5%
Personal services	1.1%	3.2%
Education	3.2%	6.0%
Health	1.6%	5.8%
Institutional care, welfare	0.7%	4.0%
Churches	0.2%	1.0%
Culture, sport, recreation	0.6%	0.9%
Domestic service	0.4%	2.0%
Government	6.1%	6.6%
Total	100.0%	100.0%

Source: Department of the Economy, Statistical Yearbook, 1995.

67. 6.6 per cent of women, as against 6.1 per cent of men are employed in government service. According to a listing as of the end of 1993, 41 per cent of the employees in Liechtenstein government service are women. Among the part-time employees, however, women account for 87 per cent. The proportion of women in government service is only insignificantly higher than the proportion of women among the total economically active population in Liechtenstein. As in private industry, women in government service occupy more subordinate positions than men. Positions as heads of departments, services or offices and in the judiciary are almost exclusively the province of men. Only in the field of diplomacy are women represented in senior positions as well to an extent which comes close to their proportion in the administration as a whole.

Table 11 Proportion of women in various positions in government service (1993)

Position	Total	Women	Men	% Women
Total	434	180	254	41%
Part-time work	60	52	8	87%
Heads of office	8	1	7	13%
Heads of department	27	0	27	0%
Heads of service	5	0	5	0%
Judiciary (full-time)	8	0	8	0%
Public prosecutor's office	3	1	2	33%
Diplomatic service	13	4	9	31%
of whom heads of mission	5	2	3	40%
Deputy heads of department	11	2	9	18%

68. The Government is aware of this problem. Meanwhile, increasing consideration is being given to women in making appointments. Two posts of head of service, one post of head of department and one post in the public prosecutor's office have been filled by women. Two women are serving as ambassadors for Liechtenstein. The proportion of women among new entrants is also growing. However, results are slow to become apparent, because the turnover in the administration is not very large.

69. It is also apparent from the 1987 survey that it is above all women who engage in part-time work in industry. Out of 899 part-time employees, 731 or 81.3 per cent were women.

Table 12 Part-time employment by sex and industry, 1987

Proportion of part-time employees	Men	Women
8.2%	18.7%	81.3%

Source: Department of the Economy, survey, 1987.

70. Almost 20 per cent of part-time employees are women, whereas the proportion among men is vanishingly small. Part-time employment for men is thus still a marginal phenomenon, whereas among women it can be regarded as a widespread form of employment.

Table 13 Category of employment of men and women in industry

Category of employment	Men	Women
Full-time	97.6%	80.8%
Part-time	2.4%	19.2%
Total	100.0%	100.0%

Source: Department of the Economy, survey, 1987.

71. It is also apparent that part-time work is attractive above all to married women. Sixty-seven per cent of all women in part-time employment are married, as against only 30.8 per cent of those in full-time employment. Among single women, the proportions are reversed.

72. Also of interest is the answer to the question whether companies afford women or men the opportunity of working on a part-time basis. The assessment does not relate to the proportion of posts in which part-time work is possible. Rather, it indicates the proportion of men and women in companies in which part-time work is in principle possible, conditionally possible or impossible for men and for women. It is nevertheless apparent that company managements make a significant distinction between men and women. Only 5.9 per cent of women are employed in companies in which part-time work is not possible for women. In contrast, 36.9 per cent of men are employed in companies in which part-time work is not possible for men. In all, over 90 per cent of women are employed in companies in which part-time work for women is in principle accepted. Only in 62.2 per cent of cases is this true of men.

Table 14 Proportion of men and women in industrial companies by possibility of part-time work for men and women

Part-time work	For men	For women
Possible	37.5%	58.7%
Conditionally pos. ible	24.7%	34.7%
Not possible	36.9%	5.9%
No response	0.9%	0.7%
Total	100.0%	100.0%

Source: Department of the Economy, survey, 1987.

73. A much discussed topic is the demand for equal payment for equal work or work of equal value. In the 1987 survey, it was reported in only around 3 per cent of cases that the principle of equal pay for equal work was not followed. The reasons given varied: women should not work at night, the work was too heavy for women and they could not deliver the same output as men, women were assigned to different jobs, or, lastly, male breadwinners were paid higher wages. Whether this result in fact corresponds to the reality cannot be established. In the government service, at least, the Officials and Employees Salaries Order established equality of treatment for men and women in 1994.

74. An indication that women in employment are still strongly disadvantaged as compared with men is to be found in the fact that in the same survey, in not even half the cases were women rated as having the same opportunities for advancement as men.

Table 15 Proportion of employees in industrial concerns by opportunities of advancement for women

Opportunities for advancement as men	Proportion of employees in these companies
Yes	38.2%
Yes, with reservations	11.5%
No	48.8%
No response	1.4%
Total	100.0%

Source: Department of the Economy, survey, 1987.

75. Women account for only around a third of the economically active population, are employed in lower level positions and are in lower wage brackets. However, they constitute a significantly higher proportion of the unemployed. At the end of November 1996 the unemployment rate was 1.4 per cent. Of the total of 373 job seekers, 209 (56 per cent) were men and 164 (44 per cent) women. Given that it is above all the unskilled labour force that encounters the greatest placement problems on the job market, women are particularly severely affected.

Women and politics

76. Since the establishment of women's right to vote at the national level in 1994, there has been some increase in the proportion of women in decision-making political bodies. Nevertheless, men are still clearly in the dominant position. Only at the level of the government, of which two of the five members are women, has it been possible to attain at least a 40 per cent proportion of women. The posts of Head of Government and Deputy Head of Government are occupied by men.

Table 16 Proportion of women in the government, the Landtag and the District Council of the 11 districts

Body	Members	1985[1]	1995[2]
Government	5	0%	40%
Landtag	25	0%	8%

District Council	106	3%	15%

Source: Department of the Economy, Statistical Yearbook, 1995.

[1] *Term of office: Landtag/Government 1985-1989; District Council 1983-1987.*

[2] *Term of office: Landtag/Government 1993-1997; District Council 1995-1999.*

77. The proportion of men and women in various governmental and district commissions acting in an advisory or in part also a decision-making capacity is not available. On the basis of random samples, however, it may be assumed that there is an extreme predominance of men.

78. Male dominance is also apparent in the political parties. Both of the two major national parties (the Fatherland Union and the Progressive Citizen's Party) are headed by a man. The leadership of the opposition Free List is mixed in composition.

Table 17 Proportion of women in party functions

Function	Men	Women	Proportion of women
Party leaderships	18	9	33%
FU leadership	7	3	30%
FBPL leadership	9	3	25%
FL leadership[1]	2	3	60%
Party chairmen	2	0	0%

Source: Survey of parties.

[1] *The leadership of the Free List is known as the SprecherInnenrat.*

79. In 1982, women's organizations were founded within the two major national parties. Both the Women's Union and the Women in the FBPL aim at involving women more in politics and carrying out educational work. They contribute to the promotion of awareness among the public, and also to the advancements of women's concerns in politics. Not least, these party organizations also prepare women for political office and functions.

80. There are no compulsory quota regulations in Liechtenstein. The Free List is the only party which has established a quota for the party leadership, the SprecherInnenrat.

The social position of women

81. By reason of the continued stronger position of men in economic life, it must be assumed that in terms of income and property ownership, men are generally better off than women. Relevant income and property statistics for Liechtenstein are however not available. Given that there is a declining trend in the traditional practice of giving

preference to male descendants in inheritance, a narrowing of the property ownership gap between men and women should be possible in the long term.

82. In terms of income, at least, the position of women has been improved by the apportionment of assets in accordance with the provisions of the revised Marriage Act of 1993. Differences between men and women in economic life nevertheless still persist. This is a result of the differing earning capabilities of men and women and the better professional education and higher job positions of men. The extent to which unequal payment for equal work also plays a role has not been identified. As compared with the other factors, however, it probably plays a subordinate role.

83. Given that social position is currently defined predominantly by such factors as income, property and power, men as a rule enjoy a higher social status than women. One of the most important social tasks, however, is the reproduction of society that takes place in the family. This task, which includes housework and caring for and bringing up the children, has not yet, apart from occasional rhetorical recognition, been accorded its appropriate status. Securing more than a merely symbolic recognition of private family and child-rearing work is one of the important tasks in the future. In the meantime, it has at any rate been possible to embody in the social security legislation recognition of housework and the raising of children.

84. Women who devote themselves wholly or partly to family tasks still experience severe disadvantages. They have no individual income, or less than that of men, professional career planning is more difficult and under the pension plan they are disadvantaged as frequent part-time workers, in that a minimum income level is required. Acceptance of combining family work and gainful employment is not forthcoming either socially or, often, within the family. Old role models have a detrimental impact.

85. In this connection it is instructive to note that, in the survey of companies conducted in 1987, only some 20 per cent of those employed in industry were working for companies which were able to consider actively promoting a child-care facility on or off the premises. Thus 80 per cent of those employed in industry had to act on the assumption that their employer had no interest in promoting child care. This reflects the status assigned by society to children and the family as compared with economic motivation.

86. The term "family" is to be understood as extending beyond the traditional two-parent family. Since the 1950s, the proportion of children born out of wedlock has been steadily increasing. In Liechtenstein today, almost one in every ten children are born out of wedlock. From the statistics, however, it cannot be ascertained whether this is based on a conscious and voluntary decision, or whether what is emerging here is a tendency for women increasingly to assume sole responsibility, or to see themselves as solely responsible, for the economic survival of the family as well as for the task of bringing up the children.

Table 18 Proportion of live births in and out of wedlock and of still births

Year	In wedlock	Out of wedlock	Still births	Total
1950-1954	95.5%	3.1%	1.4%	100%
1960-1964	95.1%	4.0%	0.9%	100%
1970-1974	93.9%	5.6%	0.5%	100%
1980-1984	93.9%	6.1%	0.0%	100%
1990-1994	91.0%	9.0%	0.0%	100%

Source: Department of the Economy, Statistical Yearbook, 1995.

87. A study commissioned by the Department of Social Services yields the information that in 1992 around 440 single-parent families were living in Liechtenstein. Of these, 91 per cent were headed by a woman, and 9 per cent by a man. In 24 per cent of the cases the single parents were unmarried, in 29 per cent separated, in 38 per cent divorced and in 9 per cent widowed. Single mothers have a lower income than single fathers. Single parents are faced with many kinds of problems: problems of professional advancement, problems with child care, social exclusion, financial dependencies and inadequate housing conditions. The study also indicated that single mothers, above all, are faced with a higher risk of poverty.

88. The proportion of divorces has increased substantially since the 1930s. In 1990, 3.2 per cent of women and 2.6 per cent of men were divorced. It is also noteworthy, however, that in spite of all the prophecies of doom, marriage has been constantly gaining ground in recent decades. While in the 1930s only around a third of men and women were married, the proportion had risen by the 1990s to well over 40 per cent. If widows and widowers, who have involuntarily lost the status of married persons, are included, the figure is in fact around 50 per cent.

Table 19 Marital status of the population

	Single		Married		Widowed		Divorced	
Year	Men	Women	Men	Women	Men	Women	Men	Women
1930	64.2%	60.9%	31.8%	32.0%	3.8%	7.0%	0.1%	0.2%
1941	60.3%	56.8%	35.9%	35.3%	3.5%	7.5%	0.3%	0.3%
1950	57.6%	55.6%	39.0%	37.1%	2.9%	6.9%	0.5%	0.4%
1960	57.0%	55.1%	40.4%	37.5%	2.4%	7.0%	0.2%	0.3%
1970	55.0%	51.8%	42.0%	39.8%	1.7%	7.2%	1.3%	1.2%
1980	49.6%	46.6%	47.1%	43.3%	1.4%	8.0%	1.9%	2.0%

1950	57.6%	55.6%	39.0%	37.1%	2.9%	6.9%	0.5%	0.4%
1960	57.0%	55.1%	40.4%	37.5%	2.4%	7.0%	0.2%	0.3%
1970	55.0%	51.8%	42.0%	39.8%	1.7%	7.2%	1.3%	1.2%
1980	49.6%	46.6%	47.1%	43.3%	1.4%	8.0%	1.9%	2.0%
1990	48.6%	44.5%	47.6%	44.4%	1.2%	8.0%	2.6%	3.2%

Source: Department of the Economy, Statistical Yearbook, 1995.

89. It is in widowhood that the most clear differences between men and women are apparent. There were always more widows than widowers. However, while the proportion of widowers has decreased in recent decades, the proportion of widows has remained practically constant at 8 per cent, largely as a result of the significantly higher life expectancy of women. This presents a special challenge for the governmental and non-governmental organizations dealing with the care of the elderly.

90. Also of special significance in this connection is the fact that according to a study by the Department of Social Services, elderly women have significantly lower savings and incomes than elderly men. This is equally true of single and married people.

91. A problem for which no explanation has as yet been found is the fact that the trend towards increasing gainful employment among women is not accompanied by greater involvement of men in household and family tasks. On the one hand, the economic activity of mothers places on them enormous additional burdens which they are as a rule not able to share with their husbands. On the other hand, external solutions for household and child care are in demand, in the form of domestic help, au pair girls or babysitters (for the most part paid on an hourly basis) or assistance from neighbours or relatives. As a rule, this outside help and the associated networking have to be organized by the mothers. Conversely, it is for the most part women who provide these services in the form of domestic help, etc. There is a threefold problem here. In the first place, what is involved is often unpaid or underpaid work which is accorded scarcely any official recognition. In the second place, this work is performed for the most part without any social security payments, with a consequent risk for those who are providing the services. And in the third place, nothing changes in the traditional role image that women are responsible for children and the home.

92. Work needs to be conducted on the one hand to break down the traditional division of roles between men and women and on the other hand to ensure that the social security provided for by law also extends to women working in domestic service. The aim should be to transform this into a recognized profession and to seek ways of ensuring that the necessary social security payments are made even in the case of

hourly work in a number of households, in the interests both of the employee and of the employer.

Legislative provisions

93. In 1978 Liechtenstein became a member of the Council of Europe, and in 1982 it ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms. On becoming a Member of the United Nations in 1990, Liechtenstein also assumed obligations under the Charter, which include a comprehensive non-discrimination principle *inter alia* on grounds of sex. Its accession to the Convention on the Elimination of All Forms of Discrimination against Women in 1995 provided further impetus to giving effect to equality between women and men.

94. The efforts to give women the right to vote date back to 1965, when the issue first became a subject for discussion in the Landtag. In 1971, nevertheless, enfranchisement of women was narrowly rejected in a nationwide referendum. That was not, however, the end of the issue in domestic politics, and after Liechtenstein became a member of the Council of Europe in 1978, the disenfranchisement of women was also repeatedly criticized by the Council. Finally, in 1984, on the basis of a further referendum, women finally obtained the right to vote at the national level, after the women's franchise had been introduced in individual communes from as far back as 1976.

95. At the constitutional level, all nationals have, pursuant to article 31 of the Constitution, been equal before the law since 1970. The Landtag specified in 1971 that the term "national" was to be understood as meaning all persons possessing Liechtenstein citizenship, without distinction as to sex. In practice, however, this was not sufficient to ensure equality between women and men. It was only with the approval of the article of the Constitution that applies today, dating from 1992, that equality between men and women was instituted in a general formulation; the article also provides that the adaptation of existing law to this principle is to take place through amendment of the legislation. In this way, comprehensive legal foundations have been laid now for equality betwen men and women.

Administrative departments

96. Under the terms of the Government's sectoral plan, the sector "Culture, youth and sport" (henceforth to be known as the "Sector for culture and equality, youth and sport") is responsible for promoting equality between men and women.

97. In 1986, on the basis of a proposal in the Landtag, the Commission on Equal Rights for Men and Women was established. The functions of the Commission, which had

parity in its membership, were and are to further equality of rights between the sexes in legislation and to promote public awareness of this objective. The Commission has conducted a survey of the status of women in Liechtenstein, particularly in the economy and politics, and participated in various legislative procedures. An important achievement was the establishment of an Equal Rights Office. In 1992, the members of the Commission, with the exception of the Chairperson, resigned because of insufficient political backing. In mid-1994 the Commission was reconstituted with a new membership. In the middle of June 1995 the Government approved the establishment of a temporary Office for Equality of Rights between Men and Women (the Equality Bureau). The part-time post was filled in May 1996.

98. In January 1994 a Working Group on the advancement of women came into being within the national administration. The Working Group analysed the situation of women in the administration, and at the beginning of 1996 proposed to the Government specific measures for the advancement of women in the administration.

99. Also in January 1994, the Government promulgated guidelines for linguistic equality of treatment of men and women in the national administration. They provide *inter alia* for gender-neutral wording of vacancy announcements.

100. Since 1991 specific continuing education opportunities have been available for women (self-awareness training, reintegration into employment, workshop on presentation, negotiation and conflict resolution, etc.). It has become apparent, however, that women show a greater interest in opportunities for broader contiuing education.

Private organizations

101. In this connection, mention must be made first of the women's groups and associations which have for many decades been performing an important and hence also political function in the religious, humanitarian and social life of the country.

102. Private organizations have been and are an important driving force of the equality policy in Liechtenstein. At the time of the new women's movement, the Working Group for Women was established in 1971 in response to the rejection of women's suffrage in the referendum. It set itself the goal of "meaningful equality of rights". The Working Group took positions on draft legislation, played a part in the development of the Emergency Medical Network and organized various lectures. Two years after women obtained the right to vote, the Working Group for Women was disbanded in 1986.

103. With the aim of achieving a breakthrough in the introduction of the vote for women, the "Sleeping Beauty" movement was established in 1981. After the goal had been attained, the group was disbanded in 1984.

104. In 1982 the two major national parties became active, and established women's groups — the Women's Union in the Fatherland Union and Women in the FPB (today, FBPL) in the Progressive Citizens' Party. Their aim is to interest women in politics and represent women's interests in politics.

105. With the establishment of Zonta Club Vaduz Area in 1985 and Soroptimist International in 1991, clubs which organized professional women in senior or independent positions came into existence. These clubs are local branches of Zonta and Soroptimist, founded in 1919 and 1921 respectively. The women's service clubs in Liechtenstein provide financial support for women's and development projects.

106. In 1985 the Association for Educational Work for Women was established. It provides a forum for the exchange of experience and views, and organizes lectures and courses in the personal, professional, ecclesiastical and political spheres. It is also with increasing frequency taking positions on topical political issues.

107. The Information and Contact Network for Women (INFRA) was established in 1986. The aim of INFRA is to promote contacts and exchanges of views among women. It also provides information on women's issues in the fields of medicine, culture, law and politics. In the course of its existence, INFRA has more than once given impetus to the establishment of further association for the improvement of women's status which have extended the range of INFRA's activities. Thus the present-day Parent-Child Forum, the Women's House and the day-care homes for children stem from initiatives of INFRA.

108. The Parent-Child Forum, founded in 1989, initially confined itself, as an association of day-care providers, to acting as a placement, assistance and advisory service for day-care workers and parents. In 1994 a statutory expansion of its range of activities took place. Apart from placement services, the Parent-Child Forum is also active in educational counseling and further education for parents and people with responsibilities for raising children, as well as in the training and placement of babysitters.

109. Since the 1980s, a number of day-care centres for children have started business. Such facilities now exist in five of Liechtenstein's 11 districts. In terms of the total population, there is one day-care centre for approximately every 6,000 inhabitants.

110. In 1991, the Women's House, supported by the Association for the Protection of Mistreated Women and Children, was opened. It has since proved to be an important source of assistance for women in need.

Table 20 Occupancy and activities of the Women's House

Women's House	**1993**	**1994**	**1995**
Residents of the Women's House	27	21	38

(resident in Liechtenstein)	9	3	9
Children in the Women's House	37	24	30
Days of residence, women	547	741	929
Days of residence, children	666	817	1,236

Source: Annual reports of the Women's House.

111. The Rapunzel Mothers' Centre is still very new, having begun its operations in the autumn of 1996. The Mothers' Centre is a meeting point for women which is intended to make it easier for mothers with children to make contact with their counterparts and give one another mutual support.

112. It must be emphasized that the associations described above are led by committed women, but are not necessarily to be regarded as women's organizations. It is also in the interests of men if care is taken for the well-being of children. Because of the unequal division of roles between men and women, however, the task of raising children is predominantly delegated to women, and the impression is thus created that a day-care centre, for example, is a facility for women.

113. Most of the above private organizations, which work to serve the interests of women, children and fathers, and hence of families, receive financial support from the State.

Measures to promote equality between women and men

114. *De jure* equality between women and men in Liechtenstein has largely been achieved. The inequalities that still exist are in the course of being eliminated. The main focus of attention is now on achieving de facto equality between men and women.

115. Over the next few years the Government will, in cooperation with the Equality Office, various commissions in the area of equality between women and men and non-governmental organizations, be developing activities to support the process of achieving de facto equality between women and men. In 1997, developments in this respect will include preparatory work on an Equality Act, a campaign to combat violence against girls and women, and an exhibition on equality of educational opportunities for girls.

116. Further measures to improve the status of women in education, politics, economic life, the family and health care are in the planning phase. In the field of development assistance, as well, attention is paid in supporting projects to the special role of women.

PART II. COMMENTARY ON THE INDIVIDUAL ARTICLES OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

ARTICLE 1 (Definition of terms)

117. The term "discrimination against women" is not defined in Liechtenstein's Constitution or its legislation. The broad wording of the Constitution Act of 16 June 1992, which introduced the principle of equality of rights into the Constitution, suggests, however, that there should be no discrimination against women either directly, on the basis of conscious action, or indirectly as a result of an unintentional distinction. The definition given in article 1 of the Convention is thus applicable.

ARTICLE 2 (Obligations of States Parties)

(a)

118. Through the Constitution Act of 16 June 1992, the principle of equality of rights was incorporated in the Constitution as article 31, paragraph 2. A motion in the Landtag on 17 June 1992 charged the Government with submitting proposals for the necessary amendments to legislation to the Landtag by the end of 1996 at the latest. With the incorporation of equality of the sexes into the social security system and matters relating to civil rights, approved in 1996, the de facto equality of men and women in Liechtenstein can essentially be regarded as having been achieved.

(b)

119. See the remarks under (a).

(c)

120. Legal protection is established by the Constitution Act of 16 June 1992. In addition, in 1996 the temporary post of Equality Commissioner was created in the Government of Liechtenstein (the Equality Bureau), in order to work together with the Commission on Equal Rights for Men and Women, which has been in existence since 1986, on accelerating the process of achieving de facto equality. The post, initially established for three years, was filled in May 1996.

(d)

121. See also the comments under (c). The Government also established, in 1994, a Working Group on the advancement of women within the national administration. The Working Group has already proposed measures for the advancement of women within the administration, and these will be examined and progressively implemented by the Government. In addition, the Government promulgated in 1994 guidelines for linguistic equality of treatment of men and women in the national administration. Since 1991 there have also been specific continuing education opportunities for women in the national administration. On instructions from the Government, the Department of Personnel and Organization is preparing draft regulations on the introduction of flexible working hours. The Government will be taking this matter up at the beginning of 1997.

(e)

122. The *de jure* equality of men and women can be regarded as having been successfully achieved. It also affords a basis for the progressive establishment of de facto equality. Legal action can be taken against discrimination by persons, organizations or corporations. In practice, however, measures are still required to speed up the process of achieving equality (awareness-creation and promotional measures).

(f)

123. See the remarks under (a) and (c). There is no discrimination under the law.

(g)

124. Liechtenstein's penal law contains no provisions that discriminate against women.

ARTICLE 3 (Human rights and fundamental freedoms)

125. See the comments on article 2. At the legislative level, equality of the sexes has been achieved. For other measures, see the comments on articles 4 to 16.

ARTICLE 4 (Positive measures)

126. On the basis of article 31 of the Constitution, inequality of treatment under the law which gives preference to women is no more permissible than negative discrimination against women. Measures relating to pregnancy, birth and motherhood are excluded from this provision. See the comments on article 11.

ARTICLE 5 (Modification of social and cultural patterns)

(a)

127. The most effective means of bringing about a change in the social and cultural patterns of conduct of men and women is the achievement of equality of the sexes in

everyday life. In this respect, attention may already be drawn to certain successful activities in the area of basic school education. Nevertheless, it is apparent that men assign greater importance to education and continuing education, while women to some extent attach more significance to the traditional orientation towards their family duties. In addition, women see themselves as facing frequent prejudice and difficulties in professional advancement. The overall result is that men occupy better corporate positions, earn higher incomes and wield more power, and this leads to an advantage over women which is at times exercised.

128. The availability of child care outside the home, supported from the public coffers, should facilitate the employment of women without resulting in neglect of the children. The availability of training courses promoted by the State should facilitate women's reintegration into the labour market.

(b)

129. In the area of social security, the principle of equality of treatment was put into effect in 1996. Among other results, this has meant that women stop working because of motherhood can have the years in question taken into account for pension purposes. The married couple's pension has been discontinued in favour of individual pensions.

130. The amendment of the Marriage Act in 1993 introduced a number of important innovations favourable to women. A change took place from the patriarchal to the partnership principle. The equal treatment of men and women covers *inter alia* use of name, conjugal rights and the consequences of separation. In the event of separation, the increase in property during the marriage is divided between the two spouses.

ARTICLE 6 (Suppression of all forms of traffic in women)

131. This requirement is met in Liechtenstein through article 213-217 of the Penal Code. Procuring, pandering and traffic in persons for purposes of sexual exploitation are punishable under Liechtenstein law by deprivation of freedom for up to ten years. When one of these offences is conducted across frontiers, the provisions of the Legal Assistance Act of 1993 apply. For male and female dancers, bar attendants and musicians, the Government promulgated guidelines in 1995 which required employers to ensure the physical and mental well-being of their employees.

ARTICLE 7 (Equality in political and public life)

(a)

132. Women have been guaranteed the right to vote since 1984.

(b)

133. Women are represented to a varying extent in the Government, in the Landtag, in the commune councils and on commissions. In the Government, two of the five members are women. It is nevertheless also clear that women are generally underrepresented in politics.

(c)

134. There are no legal restrictions on the participation of women in non-governmental organizations. Nevertheless, public and political life is still extensively dominated by men. There is however a tendency towards progressively greater involvement of women in public and political functions. Meanwhile, women are to be found at the leadership level in all the political parties. The Chairperson of the Liechtenstein Employees' Association is a woman.

ARTICLE 8 (Participation in the Government and in international organizations)

135. There are no legal obstacles in Liechtenstein to the application of this provision of the Convention. Liechtenstein's current Minister for Foreign Affairs is a woman. The Departments of Culture, Youth and Sport and of Construction and Traffic are also headed by women. Likewise, Liechtenstein's Permanent Representative to the United Nations is a woman. Liechtenstein's mission to the Organization for Security and Cooperation in Europe is also headed by a woman.

ARTICLE 9 (Nationality)

136. In 1996 the law on the acquisition and loss of citizenship was amended to provide for equality between men and women. Men and women now have the same rights with regard to passing on citizenship to a foreign spouse (after a waiting period) and to children (at the time of birth).

137. As a result of this amendment of the legislation, the reservation made by Liechtenstein on ratifying the Convention on the Elimination of All Forms of Discrimination against Women has been withdrawn.

ARTICLE 10 (Education)

(a)

138. There is equality between the sexes.

(b)

139. There is equality between the sexes.

(c)

140. The principle of coeducation has been established in Liechtenstein since 1968. The last post-primary school with segregated education — a girl's school — was converted in 1993 into a school for girls and boys. In addition, the Government established in 1994 the Commission on Promotion of Equality of Opportunity for Girls and Women in Education in Liechtenstein.

(d)

141. There is equality between the sexes.

(e)

142. There is equality between the sexes.

(f)

143. In basic school education, there is scarcely any difference between girls and boys. In the later stages of education, however, a gap emerges between women and men. More men than women follow professional study courses and attend universities. Hence, women are confined to fewer professions than men. This situation can be countered only to a limited extent by means of targeted information from State vocational counselling offices. Equally important is an overall change in conceptions of the roles of women and men in society.

(g)

144. Here again, there are no legal impediments. Girls and boys are given equal encouragement in school. Nevertheless, men are more widely active in sport than women, in that they have a broader range both of sports and of sports facilities available to them. The initiative to change this situation can however not come from the States.

(h)

145. State offices, the communes and private organizations are active in this field. The availability of advisory services can be regarded as satisfactory.

ARTICLE 11 (The workplace, motherhood and social security)

Para. 1 (a)

146. The aim of the Government is to combat unemployment, support the unemployed and provide assistance in the search for a new job through the state job placement and further education services.

Para. 1 (b)

147. Pursuant to article 9(a) of the Labour Contract Act of 1993, discrimination on grounds of sex is prohibited, specifically with reference to an agreement or to action taken, and particularly in the establishment of the employment relationship, professional advancement, the giving of instructions or dismissal.

148. In practice, however, substantial differences exist between men and women in the employment field. The economically active resident population comprises 62 per cent men and 38 per cent women. Of the men, 23 per cent are working in higher-level positions, while this is true of only 4 per cent of women.

149. Significant differences are apparent in terms of the sectors in which predominantly women or predominantly men are employed. In 1994, 48.2 per cent of men, but only 26.5 per cent of women, were working in the industry sector. In contrast, 72.7 per cent of women as against 48.8 per cent of men were employed in the services sector. Typical women's sectors in Liechtenstein are textile manufacture, trade, the hotel and catering industry, banking and finance, education, health and welfare and domestic services.

Para. 1 (c)

150. Liechtenstein's Labour Contract Act meets this requirement. It is nevertheless apparent in practice that women lag behind men in vocational education and further training. This begins already at the stage of learning a trade. The proportion of girls among apprentices has indeed risen from 14.8 per cent in 1970 to 35.6 per cent in 1994. Even so, however, it is still barely more than a third.

Para. 1 (d)

151. The 1993 Labour Contract Act specifies that in an employment relationship, a lower wage may not be paid on grounds of the sex of the employee than is paid to an employee of the other sex. The relevant regulations, instructions and guidelines have been modified.

152. The fact is, however, that women earn less than men. According to the results of the 1987 survey, in a three-tier wage scale 17 per cent of men as against 50 per cent of women were in the lowest earnings bracket. In contrast, 22 per cent of men as against 3 per cent of women were to be found in the highest earnings bracket.

Para. 1 (e)

153. The construction of the social security system in Liechtenstein is largely completed. In addition, social legislation has in past years been brought into conformity with the principle of equality, so there are no longer any discriminatory provisions. The final step, in 1996, was the amendment of the Old Age and Survivors' Pensions Act to provide *inter alia* for a single pensionable age for men and women.

Para. 1 (f)

154. See the comments on article 11, paragraph 2 (a).

Para. 2 (a)

155. Liechtenstein's legislation meets these requirements. According to the General Civil Code (individual labour contract), dismissal during pregnancy and in the 16 working

weeks following delivery is classified as "untimely dismissal", and hence is not permitted. It is also an offence to dismiss someone because of a characteristic having to do with their person. This is to be understood as including marital status.

Para. 2 (b)

156. Under the terms of the Health Insurance Act as amended in 1995, women giving birth who were previously in gainful employment are paid an allowance for 20 weeks, of which at least 16 weeks must be after the delivery. The allowance amounts to at least 80 per cent of the earnings that would otherwise have accrued to the insured person, on condition that the latter has been a member of a health insurance scheme for at least 270 days, without an interruption of more than three months' duration.

157. Women giving birth who are not entitled to payment of the health insurance allowance from the compulsory health insurance scheme are awarded a lump-sum tax-free maternity allowance out of general State resources.

Para. 2 (c)

158. The availability of day care outside the home has increased in Liechtenstein in recent years. As a result of private initiatives, there are in existence a babysitting service, a care provider placement and assistance service, kindergartens and day-care centres. The State supports these facilities on the basis of the 1979 Youth Act.

Para. 2 (d)

159. Article 33 of the Employment Act requires employers to have due regard for the health of their female employees, and also provides that,to protect their lives and health, the assignment of female employees to certain types of work is prohibited by regulations or subject to specific requirements.

160. Pregnant women enjoy special protection in the workplace. The regulations in implementation of the 1968 Act concerning Employment in Industry and Trade provide that pregnant women and nursing mothers may not be assigned to work which experience indicates has a negative impact on their health, on the pregnancy or on breast-feeding. Pregnant women and nursing mothers are also required to be released on request from work which is too heavy for them. A revision of the Labour Act introducing a further improvement of the protection afforded to pregnant and nursing women is currently in the course of parliamentary approval.

ARTICLE 12 (Health care)

Para. 1

161. In accordance with article 24 of the 1971 Health Insurance Act, the State pays annual contributions to the costs of compulsory insurance and of preventive medical measures. These contributions may vary with age and sex, without thereby having a discriminatory effect.

162. In the area of health insurance, State contributions ensure that women and men pay the same premiums.

Para. 2

163. See the comments relating to article 4 and article 11.

ARTICLE 13 (Other areas of economic and social life)

(a)

164. In accordance with article 35, paragraph 1, of the 1985 Family Allowances Act, in cases where more than one person is entitled to claim the allowance is paid to the person to whose household the child belongs. Paragraph 2, as amended in 1995, provides that it is as a rule no longer the husband, but the person who primarily cares for the child, who is entitled to payment of the family allowance for children in a joint household of married parents.

(b)

165. Liechtenstein's legislation contains no provisions that discriminate against women with respect to the right to bank loans, mortgages and other forms of financial credit.

166. Differences do nevertheless exist as a result of the differing property situations of men and women. However, no statistics are available on the factual position.

(c)

167. Liechtenstein's legislation contains no provisions that discriminate against women with respect to the right to participate in recreational activities, sports and all aspects of cultural life.

168. It is nevertheless apparent that men engage more extensively in recreational activities than women. The reason is no doubt associated with role relationships that are either structural or determined by socialization.

ARTICLE 14 (Equality of women in rural areas)

Para. 1

169. Agriculture plays only a subordinate role in Liechtenstein. Only 3 per cent of the male and 0.8 per cent of the female population are employed in agriculture, forestry and horticulture.

170. In the case of Liechtenstein, it is also not possible to speak of rural areas as opposed to urban areas, in that Liechtenstein overall is rural in its characteristics, but from the economic standpoint is a modern industrial and services State.

Para. 2 (a)

171. There is no discrimination against women in this area.

Para. 2 (b)

172. There is no discrimination against women in this area.

Para. 2 (c)

173. There is no discrimination against women in this area.

Para. 2 (d)

174. There is no discrimination against women in this area.

Para. 2 (e)

175. There is no discrimination against women in this area.

Para. 2 (f)

176. There is no discrimination against women in this area.

Para. 2 (g)

177. There is no discrimination against women in this area. See also the comments on article 13 (b).

Para. 2 (h)

178. There is no discrimination against women in this area.

ARTICLE 15 (Equality before the law)

Para. 1

179. Equality before the law is established under article 31, paragraph 2, of the Constitution.

Para. 2

180. Equality before the law is established under article 31, paragraph 2, of the Constitution.

Para. 3

181. Liechtenstein's law of contract contains no provisions directed at restricting the legal capacity of women.

Para. 4

182. Article 28, paragraph 1, of the Constitution accords any national the right to take up residence anywhere in the national territory. Pursuant to article 31, paragraph 2, of the Constitution, the term "nationals" is to be taken to include men and women.

183. In addition, the Marriage Act, since its amendment in 1993, provides that the spouses jointly determine the location of the conjugal home.

ARTICLE 16 (Elimination of discrimination against women in marriage and family relations)

Para. 1 (a)

184. In the general law relating to marriage, no distinction is made between men and women. However, there is a difference in the marriageable age.

Article of the 1974 Marriage Act specifies that the marriageable age for men is 20 and for women 18. This is not, however, an instance of discrimination against women.

Para. 1 (b)

185. There is no discrimination against women in this area. The voluntary nature of marriage is ensured by the form of marriage ceremony provided for in article 26 of the Marriage Act, and also by the provisions relating to the annulment of marriage. Under the terms of article 37 of the Marriage Act, a marriage may be declared annulled on grounds of "justified fear".

Para. 1 (c)

186. The same rights and responsibilities during marriage and at its dissolution are guaranteed by the 1993 amendments to the Marriage Act, which describe marriage as a partnership.

Para. 1 (d)

187. See the comments on paragraph 1 (c). Liechtenstein has also formally recognized that the interests of the child are paramount through its ratification in 1996 of the 1990 Convention on the Rights of the Child.

Para. 1 (e)

188. See the comments on paragraph 1 (c).

Para. 1 (f)

189. Under the terms of article 166 of the General Civil Code, only the mother has custody of children born out of wedlock. This does not constitute discrimination against women.

190. In the area of guardianship, wardship and trusteeship, articles 187-284 of the General Civil Code make no sex-specific distinctions.

191. In the area of adoption, in addition to the relevant articles of the General Civil Code, the European Convention on the Adoption of Children also applies. According to article 180 of the General Civil Code, the minimum age for an adoptive father is 30 and for an adoptive mother 28. This does not constitute discrimination against women.

192. The foster-care relationship, which is governed by articles 185 and 186 of the General Civil Code, also contains no sex-specific discriminatory provisions.

Para. 1 (g)

193. The 1993 amendments to the Marriage Act also introduced gender-neutral arrangements in relation to choice of name. Under the terms of article 44, paragraph 1, the spouses have to inform the Registrar on the occasion of the marriage ceremony which of the two names they wish to use as the family name. The spouse whose name is not the family name can use his or her former name before or after the family name, attached to it by a hyphen.

194. Thus the provisions of the Marriage Act are in conformity with the principle of equality of the sexes. It should however be noted that on the basis of centuries-old tradition, choice of the name of the man as the family name is still largely the rule.

Para. 1 (h)

195. There is no discrimination against women in this area.

Para. 2

196. Marriages contracted in Liechtenstein are automatically and hence also compulsorily registered.

197. In relation to marriageable age, see the comments on article 16, paragraph 1 (a). The marriageable age may however, pursuant to article 9, paragraph 2, of the Marriage Act, be lowered with the consent of the lawful guardian.

ANNEX

Extract from Constitution of the Principality of Liechtenstein

Article 31

(1) All nationals[1] are equal before the law. Subject to the legal requirements being met, they shall enjoy equal access to public office.

(2) Men and women have equal rights.[2] [3]

(3) The rights of foreigners shall be determined in the first place through State treaties, and in their absence through reciprocity.[4]

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[1] "The term "national" as used in the Constitution is to be taken to mean "all persons possessing Liechtenstein nationality, without distinction as to sex" (National Gazette, 1971, No. 22).

[2] Article 31, paragraph 2, as amended by National Gazette, 1992, No. 81.

[3] "The laws shall make provision for bringing the applicable law into conformity with the equality of men and women" (National Gazette, 1992, No. 81).

[4] Article 31, paragraph 2, as amended by National Gazette, 1992, No. 81.